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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,922	03/19/1999	SCOTT A. LLOYD	JAIC.66141	6257
5251	7590	08/09/2005	EXAMINER	
SHOOK, HARDY & BACON LLP 2555 GRAND BLVD KANSAS CITY,, MO 64108			ANYA, CHARLES E	
			ART UNIT	PAPER NUMBER
			2194	
DATE MAILED: 08/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/272,922

Applicant(s)

LLOYD ET AL.

Examiner

Charles E. Anya

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/13/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 88-92,94-100,102-104 and 109 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 88-92,94-100,102-104 and 109 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 88-92,94-100,102-104 and 109 are pending this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 88-92,94-100,102-104 and 109 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

The following terms lack antecedent basis:

- i. "said golf course reservation systems" on lines 8,11,12 and 14 of claim 109.

For the purpose of this office action the Examiner would change the term "said golf course reservation systems" to "said plurality of disparate individual golf course reservation systems".

- ii. "said tee-time requests" on line 15 of claim 109.

For the purpose of this office action the Examiner would change the term "said tee-time requests" to "said one or more tee-time requests".

- iii. "the golf course reservation systems" on line 15 of claim 109.

For the purpose of this office action the Examiner would change the term "the golf course reservation systems" to "the one or more plurality of disparate individual golf course reservation systems".

iv. "said requests" on line 15 of claim 109.

For the purpose of this office action the Examiner would change the term "said requests" to "said one or more tee-time requests".

v. "said tee-time requests" on line 17 of claim 109.

For the purpose of this office action the Examiner would change the term "said tee-time requests" to "tee-time requests".

vi. "said golf course reservation systems" on lines 18 of claim 109.

For the purpose of this office action the Examiner would change the term "a plurality of said golf course reservation systems" to "said plurality of disparate individual golf course reservation systems".

The following term is indefinite and unclear:

As to claim 109, lines 16-18, it is not clearly indicated whether a plurality of said tee-time requests are generated concurrently by a single user input module (i.e. if they are not generated concurrently, a first of the plurality of tee-time requests would have to wait until a last of the plurality of tee-time requests is received by the interface module before it can concurrently processing the plurality of tee-time requests). This implies that at least the first of plurality of tee-time requests would not be processed in real time.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 88-92, 106 and 109 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,319,548 to Germain in view of Online Tee Times to Arnold (pages 1-3).**

6. As to claim 109, Germain teaches Golf tee-time reservation apparatus for implementing access concurrently to a plurality of disparate individual golf course reservation systems situated in different locations, (figure 2 Col. 5 Ln. 9 - 41), said apparatus comprising: a plurality of user input modules distributed throughout a wide geographic area including at sites remote from one another ("...user interface..." Col. 2 Ln. 32 - 53, User Interface Module 60 Col. 7 Ln. 39 - 41), each user input module having an interface capable of sending one or more tee-time requests concurrently to one or more of said plurality of disparate individual golf course reservation systems ("...user selection..." Col. 2 Ln. 32 - 53, figure 6 Col. 11 Ln. 5- 40); and an interface module having a data link with each of said user input modules for concurrently receiving said one or more tee-time requests to one or more of said plurality of disparate individual golf course reservation systems as real time transactions, said

Art Unit: 2194

interface module having a data link connection with each of said plurality of disparate individual golf course reservation systems and being arranged to interface with said plurality of individual golf course reservation systems to effect acceptance of each of said one or more tee-time requests at said one or more plurality of disparate individual golf course reservation systems to which said one or more tee-time requests are directed (Communication Port 28 Col. 7 Ln. 5- 21, Communication Port Control Module 66 Col. 7 Ln. 46 - 48), and said interface module being arranged to process a plurality of tee-time requests from a single user input module to said plurality of disparate individual golf course reservation systems (Col. 12 Ln. 41 – 54).

7. Germain does not explicitly teach an apparatus for implementing seamless real time access to a plurality of disparate individual golf course reservation systems situated in different locations and at least some of the plurality of individual golf course reservation systems as using different protocols.

8. Arnold teaches an apparatus for implementing seamless real time access to a plurality of disparate individual golf course reservation systems situated in different locations (“...real time...” page 1) and at least some of the plurality of individual golf course reservation systems as using different protocols (“...web...” page 1 NOTE: using multiple protocol is inherent in a web system, i.e. HTTP and SOAP).

9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Arnold and Germain because the teaching of Arnold would improve the system of Germain by providing a network of golf

Art Unit: 2194

courses that enable golfers to use web site to book a tee time on online in real time (Arnold page 1).

10. As to claim 88, Germain the golf tee-time reservation apparatus of claim 109, wherein said user input module comprises a networked based interface (Col. 7 Ln. 5 - 21).

11. As to claim 89, Germain teaches the golf tee-time reservation apparatus of claim 88, wherein said networked based interface is the Internet (Col. 7 Ln. 5 - 8).

12. As to claim 90, Germain teaches the golf tee-time reservation apparatus of claim 109, wherein said user input module is a terminal that receives said one or more tee-time requests (Col. 2 Ln. 32 - 40).

13. As to claim 91, Germain teaches the golf tee-time reservation apparatus of claim 90, wherein said terminal comprises a graphical user interface (Col. 2 Ln. 32 - 40).

14. As to claim 92, Germain teaches the golf tee-time reservation apparatus of claim 90, wherein said terminal displays information to a user (Col. 2 Ln. 32 - 40).

15. As to claim 106, Germain teaches the golf tee-time reservation apparatus of claim 109, wherein said plurality of individual golf course reservation systems comprises

Art Unit: 2194

individualized reservation software for coupling to said golf tee-time reservation apparatus (Communication Port 28 Col. 7 Ln. 5 - 21, Communication Port Control Module 66 Col. 7 Ln. 46 - 48).

16. Claims 94-97,100 and 102-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,319,548 to Germain in view of Online Tee Times to Arnold (pages 1-3) as applied to claim 109 above, and further in view of U.S. Pat. 5,781,892 to Hunt et al.

17. As to claim 94, Germain and Arnold are silent with reference to the golf tee-time reservation apparatus of claim 109, wherein said interface module comprises one or more computer servers.

18. Hunt teaches the golf tee-time reservation apparatus of claim 109, wherein said interface module comprises one or more computer servers (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

19. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine the teachings of Hunt, Arnold and Germain because the teaching of Hunt would improve the system of Arnold and Germain by providing a reservation system that normalizes and selects portions of reservation data to be returned to a requesting client computer (Col. 2 Ln. 16 – 24).

Art Unit: 2194

20. As to claim 95, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a database server (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

21. As to claim 96, Hunt teaches the golf tee-time reservation apparatus of claim 95, wherein said database server provides information upon request (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

22. As to claim 97, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a system service application server (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

23. As to claim 100, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a network server (Gateway Application 22/Server 14 Col. 3 Ln. 35- 62).

24. As to claim 102, Hunt teaches the golf tee-time reservation apparatus of claim 104, wherein said one or more computer servers is a customer server (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

25. As to claim 103, Hunt teaches the golf tee-time reservation apparatus of claim 102, wherein said customer server administers tee-time transactions by sending said

Art Unit: 2194

tee-time transactions to said one or more computer servers (Gateway Application 22/Server 14 Col. 3 Ln. 35- 62).

26. As to claim 104, Hunt teaches the golf tee-time reservation apparatus of claim 102, wherein said customer server comprises protocol translation software (Gateway Application 22/Server 14 Col. 3 Ln. 35 - 62).

27. Claims 98 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,319,548 to Germain in view of Online Tee Times to Arnold (pages 1-3) and further in view of U.S. Pat. No. 5,781,892 to Hunt et al. as applied to claim 97 above, and further in view of U.S. Pat. No. 5,832,451 to Flake et al.

28. As to claim 98, Germain and Hunt are silent with reference to teaches the golf tee-time reservation apparatus of claim 97, wherein said system service application server comprises administrative tools for regulating system resources.

29. Flake teaches a reservation apparatus of claim 97, wherein said system service application server comprises administrative tools for regulating system resources (Administration Component 32 Col. 5 Ln. 41 - 44).

30. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine the teachings of Flake, Arnold and Germain Hunt because the system of Flake would improve the system of Arnold and Germain by managing and

Art Unit: 2194

functioning as secretarial support, local area network administration and telephone support (Col. 5 Ln. 40 - 43).

31. As to claim 99, although neither Germain, Arnold nor Flake teaches the golf tee-time reservation apparatus of claim 97, wherein said system service application server provides administrative reports one of ordinal skill in the art at the time of the invention would have known to implement the administration component 32 to include administrative reporting so that secretarial support, local area network administration and telephone support could be monitored or tracked.

Response to Arguments

32. Applicant's arguments with respect to claims 88-92,94-100,102-104 and 109 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2194

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2194

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